

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

YUSEF WILLIAMS,

Plaintiff,

v.

DR. THORPE and KAREN ANDERSON,

Defendants.

ORDER

Case No. 20-cv-24-wmc

Plaintiff Yusef Williams has filed a proposed civil complaint and requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed without prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than February 3, 2020. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

With the complaint, plaintiff also filed a motion to use release account funds to pay the entire fee for filing this case. (Dkt. #3). However, with the exception of initial partial payments, federal courts lack the authority to tell state officials whether and to what extent a prisoner should be able to withdraw money from a release account. Plaintiff cannot use the release account funds to pay the entire balance of the \$350.00 filing fee, and so plaintiff's motion will be denied.

ORDER

IT IS ORDERED that ,

1. Plaintiff Yusef Williams's motion for use of release account funds to pay the entire filing fee in this case (Dkt. #3) is DENIED.
2. Plaintiff may have until February 3, 2020 to submit a trust fund account statement for the period beginning approximately July 10, 2019 and ending approximately January 10, 2020. If, by February 3, 2020, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 13th day of January, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge